

Office Action Summary	Application No. 10/551,223	Applicant(s) KINOSHITA ET AL.	
	Examiner MY-CHAU T. TRAN	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>20080828</u> . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Office Action</u> . | 6) <input type="checkbox"/> Other: _____. |

Art Unit: 2629

DETAILED ACTION

Application and Claims Status

1. Applicant's response filed 05/19/2008 are acknowledged and entered.
 2. Claims 1 and 3-17 were pending. No claims were amended, added and/or cancelled.
- Therefore, claims 1 and 3-17 are currently pending.

Election/Restrictions

3. Applicant's election without traverse of Group I (claims 1 and 3-14) in the reply filed on 05/19/2008 is acknowledged. *However* upon further reconsideration of the restriction and in view of the same allowable subject matter that is found in all independent claims, the restriction is withdrawn. As a result, Group II is rejoined with Group I, and Group I is claims 1 and 3-17.
4. Claims 1 and 3-17 are under consideration in this Office Action.

Priority

5. Receipt is acknowledged of papers, i.e. Japanese Patent Application No. 2003-088216, filed March 27, 2003, submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

6. The information disclosure statements (IDS) filed on 09/27/2005 and 05/24/2006 have been reviewed, and the references that have been considered are initialed as recorded in PTO-1449 forms.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors, especially in regard to instant claims 1, 12, and 15.

b. Claims 1, 12, and 15 recite the limitation of ‘*the first step previously determining a value as a correction parameter in each unit area*’ is vague and indefinite because it is unclear as its correlation in regards to the limitations of ‘*a first step of dividing a display area of a display panel into a plurality of unit areas, the first step setting one arbitrary unit area among the unit areas at a reference area*’. That is this limitation, ‘*the first step previously determining a value as a correction parameter in each unit area*’, imply that there is another step in which the claimed value is determine for each unit area occurs before this “*first step*” that also claimed to include the steps of ‘*dividing a display area of a display panel into a plurality of unit areas*’ and ‘*setting one arbitrary unit area among the unit areas at a reference area*’. This result in a confusion regarding the order of these method steps for the instant claimed “first step” or what is the instant claimed “first step”. Moreover, the instant specification discloses that the first step of the method is dividing

Art Unit: 2629

the display screen area on the display panel into a plurality of area (see figure 5; pg. 13, lines 6-7). Therefore, claims 1, 12, 15, and all their dependent claims are rejected under 35 U.S.C. 112, second paragraph.

c. Claim 1 recites the limitations of *‘a first step of dividing a display area of a display panel into a plurality of unit areas’* and *‘wherein the first step includes: an a step of dividing a display area of a display panel into a plurality of unit areas’* is vague and indefinite because it is unclear as the distinction between the claimed step of *‘a first step of dividing a display area of a display panel into a plurality of unit areas’* and that of *‘an a step of dividing a display area of a display panel into a plurality of unit areas’* for the instant claimed “first step”. As a result, claim 1 and all its dependent claims are rejected under 35 U.S.C. 112, second paragraph.

d. The limitation of *‘a first step of dividing a display area of a display panel into a plurality of unit areas’* in claim 12 and the limitation of *‘the first step includes: an e step of dividing a display area of a display panel into a plurality of unit areas’* in claim 13 is vague and indefinite because it is unclear as the distinction between the claimed step of *‘a first step of dividing a display area of a display panel into a plurality of unit areas’* and that of *‘an a step of dividing a display area of a display panel into a plurality of unit areas’* for the instant claimed “first step”. As a result, claim 13 is rejected under 35 U.S.C. 112, second paragraph.

e. Claim 13 recite *“the first step includes: an e step”*, however there is no step ‘a thru d’ recited in claim 12 to which claim 13 depend. Thus, claim 13 is vague and indefinite because it is incomplete and confusing for it is unclear what is step ‘a thru d’

Art Unit: 2629

for the instant claimed “first step”. Consequently, claim 13 is rejected under 35 U.S.C. 112, second paragraph.

f. The limitation of ‘*a first step of dividing a display area of a display panel into a plurality of unit areas*’ in claim 15 and the limitation of ‘*the first step includes: an e step of dividing a display area of a display panel into a plurality of unit areas*’ in claim 16 is vague and indefinite because it is unclear as the distinction between the claimed step of ‘*a first step of dividing a display area of a display panel into a plurality of unit areas*’ and that of ‘*an a step of dividing a display area of a display panel into a plurality of unit areas*’ for the instant claimed “first step”. As a result, claim 16 is rejected under 35 U.S.C. 112, second paragraph.

Allowable Subject Matter

9. The following is a statement of reasons for the indication of allowable subject matter: The instant claimed limitation of the first method step comprising the steps combination of ‘*dividing a display area of a display panel into a plurality of unit areas*’, ‘*setting one arbitrary unit area among the unit areas at a reference area*’, and ‘*determining a value as a correction parameter in each unit area*’ are considered allowable subject matter the reason that the cited prior arts do not teach or fairly suggest these limitations.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MY-CHAU T. TRAN whose telephone number is (571)272-

Art Unit: 2629

0810. The examiner can normally be reached on Monday: 8:00-2:30; Tuesday-Thursday: 7:30-5:00; Friday: 8:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MY-CHAU T. TRAN/
Primary Examiner, Art Unit 2629

September 4, 2008